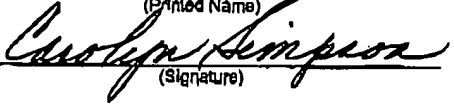


Atty. Dkt. No. 032016-0128

Application No. 10/763,726

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Majchrzak et al.  
Title: FOOD CONTAINER  
Appl. No.: 10/763,726  
Filing Date: 01/23/2004  
Examiner: Pelham, Joseph Moore  
Art Unit: 3742

|   |
|---|
| <b>CERTIFICATE OF FACSIMILE TRANSMISSION</b><br>I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.<br><br>Carolyn Simpson<br>(Printed Name)<br><br>(Signature)<br><br>November 14, 2005<br>(Date of Deposit) |
|---|

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FAX RECEIVED**

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**OFFICE OF PETITIONS**

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

Atty. Dkt. No. 032016-0128

Application No. 10/763,726

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of a Request for Continued Examination (RCE).

**RELEVANCE OF EACH DOCUMENT**

An English abstract for JP 2000-175781 states: "PROBLEM TO BE SOLVED: To display food in exposed state favorably in view of sanitation, keep the good in its hot state from the oven and prevent deterioration of food by incorporating a filter for removing dust in the air and a means for blowing air above the food at a designated flow velocity without spraying the air passed through the filter to the food. SOLUTION: Air on a shelf 6 is blown out through a filter 10 on a hood 8 by a shelf blower 12 installed between an outer layer partition plate 3 and an inner layer partition plate 4. The air blown above the hood 8 is discharged without being sprayed to the food displayed on the shelf 6, and allowed to flow in between the outer layer partition plate 3 and the inner layer partition plate 4 by a suction port 1 formed on the lower side of the hood 8. Humidified air is allowed to flow in through a discharge port 17 of a humidifying device 15 between the outer layer partition plate 3 and the inner layer partition plate 4, and further the humidified air is heated by a heater 14. Thus, the humidified to air is blown out on the shelf 6."

An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Atty. Dkt. No. 032016-0128

Application No. 10/763,726

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date Nov 14, 2005By Scott C. Nielson

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|---|----|---|--------------------------|--|
| Substitute for form 1449B/PTO<br><b>INFORMATION DISCLOSURE<br/>         STATEMENT BY APPLICANT</b><br>Date Submitted: November 14, 2005<br><i>(use as many sheets as necessary)</i> |   |    |   | <b>Complete If Known</b> |  |
| Application Number  |   |    |   | 10/763,726               |  |
| Filing Date   |   |    |   | 01/23/2004               |  |
| First Named Inventor  |   |    |   | Michael Majchrzak        |  |
| Group Art Unit  |   |    |   | 3742                     |  |
| Examiner Name   |   |    |   | Pelham, Joseph Moore     |  |
| Attorney Docket Number  |   |    |   | 032016-0128              |  |
| Sheet   | 1 | of | 1 |                          |  |

[illegible][illegible]

| NON PATENT LITERATURE DOCUMENTS |                       |  |                |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
|                                 | A6                    | International Search Report for Application No. PCT/US2005/002129, 11/02/2005, 10 pages.   |                |
|                                 |                       |  |                |

|                       |  |                    |
|-----------------------|--|--------------------|
| Examiner<br>Signature |  | Date<br>Considered |
|-----------------------|--|--------------------|

\*EXAMINER: Initial (if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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